

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:21-cv-00018-MR
(CRIMINAL CASE NO. 1:17-cr-00046-MR-WCM-5)**

RICHARD ARLEE CHAMPION,)
Petitioner,)
vs.)
UNITED STATES OF AMERICA,) ORDER
Respondent.)

)

THIS MATTER is before the Court on Petitioner's *pro se* Memorandum Brief [Doc. 6] and Motion for Leave to File an Oversized Brief [Doc. 7].

The Petitioner filed a Motion to Vacate, Set Aside, or Correct Sentence Pursuant to 28 U.S.C. § 2255 [Doc. 1] that contained only headings and failed to attach the memorandum to which the Motion to Vacate referred. [See Doc. 1-1]. On January 19, 2021, the Court issued an Order requiring Petitioner to amend in compliance with the applicable rules and procedures, and to address the statute of limitations. [Doc. 5]. Later that day, Petitioner's Memorandum Brief [Doc. 6] and Motion for Leave to File an Oversized Brief [Doc. 7] were docketed.

The Memorandum Brief is 52 pages long, excluding attachments. [Doc. 6]. In the Motion for Leave, Petitioner explains that he has no legal experience, and that the Brief is legible, contains facts and cases supporting each claim, and is organized. [Doc. 7].

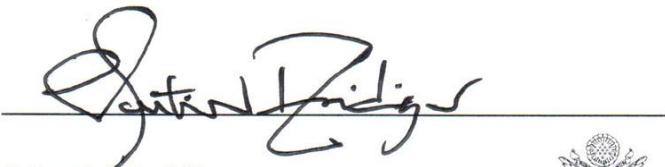
Petitioner has failed to adequately justify the need to file a 52-page brief. Petitioner is required to substantially follow the § 2255 form,¹ specify the grounds for relief, set forth the facts supporting each ground, and state the relief requested; there is no need to cite case law. See Rule 2, 28 U.S.C. foll. § 2255. If Petitioner is unable to set forth his claims on the § 2255 form, he may submit a supporting brief of up to 25 pages in length. See LCvR 7.1(d) (generally limiting briefs in support of motions to 25 pages). Therefore, Petitioner's Motion for Leave is denied and he is instructed to amend in accordance with the Court's January 19, 2021 Order.

IT IS, THEREFORE, ORDERED that Petitioner's Motion for Leave to File an Oversized Brief [Doc. 7] is **DENIED**, and Petitioner is required to amend in accordance with the Court's January 19, 2021 Order.

¹ The § 2255 form contains a section to address the statute of limitations, entitled "Timeliness of Motion."

IT IS SO ORDERED.

Signed: January 25, 2021



Martin Reidinger
Chief United States District Judge

